

to immigration violations and illegal possession of ammunition. Authorities said that in the last 7 years Mr. Asrar had bought several weapons at gun shows, including handguns and rifles. According to police in Alice, Texas, a Federal grand jury is investigating whether he may be linked to al Qaeda terrorists. The Times reported that he aroused the authorities' suspicion when he asked employees at his convenience store to take pictures of tall buildings and mail letters for him from Pennsylvania back to Texas.

I wrote to Attorney General John Ashcroft earlier this month to ask what steps the Department of Justice is taking to prevent terrorist attacks involving firearms, including firearms acquired at gun shows. I look forward to his reply. I also met with officials of the Department of Justice and ATF to discuss the role of firearms in their counterterrorism efforts. Let me say that although the Attorney General and I may not agree on many issues when it comes to the regulation of firearms, I believe we have a unique opportunity to work together to prevent violent acts by terrorists and others, without infringing upon the constitutional rights of law-abiding Americans. Not one single, solitary person who is not already prohibited from possessing firearms would be denied the right to purchase firearms by our gun show bill.

I know there are those who oppose any new gun laws. They have a right to that opinion, but what is their proposed alternative? Should we ignore the Jihad manuals and the cases of Ali Boumelhem, Conor Claxton, and Mohammad Asrar? Do any of us really know what the next terrorist attack will look like? I believe we have a clear responsibility to do everything we can to prevent terrorists from gaining access to firearms.

But even if we set aside the issue of terrorists' access to guns, this legislation is important to bring some sense to our gun laws and save American lives. The chilling reports this week of an alleged plot by students at New Bedford High School to kill large numbers of their fellow students and teachers reminded us that the threat of gun violence is still very real for our children and families.

Two years ago, after Eric Harris and Dylan Klebold killed 13 people and themselves at Columbine High School with weapons purchased from a private seller at a gun show, Democrats and Republican in the Senate joined together to pass the Lautenberg amendment to close the gun show loophole. The legislation I have introduced is identical to that Senate-passed amendment. Unlike other gun show bills, it would apply the successful Brady law to every gun sold at gun shows, without exception. As under current law, law enforcement would have up to three business days to conduct background checks on firearms sales. Our opponents will say that we're trying to shut down gun shows by imposing a

"waiting period" on gun sales that usually take place on weekends. But that is not the case. There is no "waiting period." The Brady law gives law enforcement up to 3 business days to complete a background check on a prospective gun buyer. In fact, most gun purchases are processed very quickly by the NICS system. The FBI clears 72 percent of gun buyers within 30 seconds. Another 23 percent are cleared within 2 hours. That means background checks are completed within 2 hours for 95 percent of prospective gun buyers. Nineteen out of twenty have a decision rendered in just 2 hours.

But what about that last 5 percent that takes longer than 2 hours? According to a recent GAO report, those gun buyers are more than 20 times more likely to be prohibited from possessing a weapon under Federal law.

For gun buyers in that last 5 percent, potentially disqualifying information often requires the FBI to access court records—which are typically not available on a weekend; indeed, typically not available until at least Monday morning—to ensure that the person is not a convict felon or fugitive from justice; those records have to be checked.

Yet other gun show bills would make exceptions to the Brady law, reducing background checks for many gun show sales to 24 hours, to avoid inconveniencing the people in that 5-percent category. I believe that would be a serious mistake. We must reject the notion that it is better to allow a criminal to get gun than to ask a small group of potentially high-risk gun buyers to experience a minor inconvenience. If anything, law enforcement needs more time, not less, to conduct background checks. The FBI reported last year that over an 18-month period, more than 6,000 firearms were sold to convicted felons and other prohibited buyers because the three business days allowed under the Brady law expired before law enforcement could provide a definitive response. These illegal firearms must then be retrieved by State and Federal officer, as dangerous scenario which no one wants to see repeated or multiplied. We are not proposing to lengthen the time for background checks, but clearly it would be a mistake to shorten it even further. Instead, we should do the right thing for both law enforcement and gun buyers and simply apply current law to all gun show sales. No law-abiding citizen will be denied the right to purchase a firearm under my legislation. As under current law, if the 3 business days expire before law enforcement identifies a violation that would prohibit the gun sale, the sale can go forward.

We are not trying to end gun shows, and we are not trying to deny any law-abiding American the right to purchase a gun. What we are trying to end is the free pass we're now giving to convicted felons when they can walk into a gun show, find a private dealer, buy whatever weapons they want, and walk out without a background check.

In overwhelming numbers, the American people believe that background checks should be required for all gun show sales. The people of Colorado and Oregon confirmed this last fall when they approved ballot initiatives to close the guns show loophole. I want my colleagues to know that I will take every opportunity early next year to bring the Gun Show Background Check Act before the Senate for a vote. I urge my colleagues to support this legislation so that we can finally close the gun show loophole and make sure that convicted felons, domestic abusers, terrorists, and other prohibited persons do not use gun shows to purchase firearms without a Brady background check.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. AKAKA). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska is recognized.

OPEN THE HART BUILDING

Mr. MURKOWSKI. Mr. President, I rise this morning on behalf of the residents of the Hart Building who have been dispossessed as a consequence of the anthrax incident. I am going to refer to a memorandum of November 27 to all Senators relating to the cleanup of the Senate buildings. The statement goes into some detail relative to procedure. It is from the Senate Sergeant at Arms and it outlines the activity that the various agencies—the Centers for Disease Control, Environmental Protection Agency, Federal Emergency Management Agency, National Institute of Occupational Safety and Health, and the FBI—are involved in in this process. It indicates the Environmental Protection Agency is the lead agency on the remediation—the clean-up—of the building.

It further states that in addition to the extensive environmental sampling, the team has—

... finished remediation of common areas in the Hart Building, including the atrium, walkways and the elevator in the Southwest quadrant.

That is the good news.

Post-remediation sampling results for those common areas are expected later this week.

That would have already passed.

Remediation of areas in the Hart Building which tested positive for trace amounts of anthrax is underway. EPA is in the process of detailing planning for the remediation of affected offices, including those of Senators Feingold, Baucus, Boxer, Corzine, Craig, Feinstein, Graham, Lieberman, Lugar, Mikulski and Specter. EPA, the Sergeant at Arms, and the Secretary of the Senate staff will be discussing these plans with senior staff for the affected offices this week.

My understanding is those offices are in one core and Senator DASCHLE's office is the office where most of the spores were found.

They indicate that:

Senator Daschle's suite is being prepared for the application of chlorine dioxide gas.

I gather that may be going on sometime this weekend. But:

According to the EPA's plan, the cleanup of the Daschle suite would take place this weekend. The Dirksen Building and the Hart-Dirksen garage will be closed . . .

That is evidently underway today.

I also note in here that:

Following the discovery of an anthrax letter addressed to Senator Leahy, environmental sampling of mail handling areas in both the Russell and Dirksen Senate Office Buildings was conducted on November 17th and 18th. The results of those tests were negative except for trace positive results in the mail handling areas of the offices of Senators Dodd and Kennedy. Those areas were cleaned up on November 24th and November 25th . . .

So clearly they have satisfied themselves as to the adequacy of the cleanup of at least two offices, those of Senator DODD and Senator KENNEDY. They have indicated they will reopen for business November 26, which is the case.

The Dirksen mailroom has been remediated, but is not yet open for business . . . Sampling of the off-site mail facility is . . . complete—

And so forth.

There is Medical information.

Mail: It suggested mail deliveries will start this week and we will have 5 to 6 weeks of back mail.

The interesting thing is it doesn't say a thing about when we are likely to get back in the Hart Building. It is my understanding the stacks within the Hart Building are separated and the area of greatest concern is still Senator DASCHLE's office. In discussing this with some people involved at a level that clearly they have access, a suggestion has been made that, since Senator DASCHLE's office is the area of concern now, they simply seal that off.

Then the conversation went into, how do you seal it off if you have the air ducts and air vents? Those can be blocked as well.

It is very inconvenient for those of us who are in the far stack, furthest away from the area of the incident. We have been advised that our offices are clean, but we can't go in. Yet they say the common areas now are clean.

In a meeting with EPA, I asked them if this was really something under consideration for a Superfund site. They looked at me rather startled, as if they hadn't thought about that, but it may be.

We have to have someone speak with authority. Frankly, the leadership here is not as inconvenienced as those of us who are not in the leadership because they have offices here in the Capitol. But speaking for those of us who have been dispossessed for 5, going on 6 weeks, and every indication is another week or another 2 weeks, we do not

seem to be able to get a conclusive decision on when we can get in, when they are going to be satisfied it is through—and somebody is going to have to sign off on this.

It seems to me they could simply seal off the office now that is demanding their attention, seal off that air-conditioning or cut that off mechanically—you can do it—and let us get into our offices so we can function. It is extraordinarily inconvenient. You can imagine walking out of your office and just having to leave everything there.

But the worst part of it is we had been in that building 3 full days, operating, after the envelope was opened in Senator DASCHLE's office.

So I urge those responsible to get together and, for Heavens' sakes, find a way to get us back into the rest of the building. If you have to seal Senator TOM DASCHLE's office, then go ahead and do it and get it completed.

I yield the floor to my good friend from Kansas. He and I are going to be with you for a while.

THE PRESIDING OFFICER. Senator BROWNBACK from Kansas is recognized.

DAY OF RECONCILIATION

Mr. BROWNBACK. Mr. President, I appreciate the time to be able to address the body on a key issue we will be taking up for a vote on Monday. Before I do that, I would like to make an announcement of an activity in which the Presiding Officer and I have been directly involved. On December 4, Tuesday this next week, from 5 p.m. to 7 p.m., it is going to be a day of reconciliation, a time period in the Rotunda for Members of both the House and Senate sides. This is going to be a time for the leaders of the country to get together and pray for the Nation. It is going to be December 4, 5 p.m. to 7 p.m., just the leaders of the House, Senate, and administration. It will not be open to the public. I do hope Members can attend and be a part of that process and that ceremony. It is something the country used to do frequently and hasn't for a number of years. That will be December 4, 5 to 7 p.m., in the Rotunda.

ISSUES IN THE LOTT AMENDMENT

Mr. BROWNBACK. Mr. President, I would like to take a few minutes to speak in morning business on the issue of human cloning. On Monday, there will be a vote on the issue of the Lott amendment that contains the energy package that has been put forward by Senator MURKOWSKI, and the moratorium on human cloning, the 6-month moratorium on human cloning that I put forward. Several colleagues have sponsored both of these amendments. It has been put together. There will be a cloture vote on this on Monday.

I am asking our colleagues to support us being able to get this issue before the body for a final vote, to vote for cloture on the Lott amendment so we

can get this issue in front of the body and get it decided.

These are two critical issues. The issue of energy and our dependence on foreign oil sources is becoming more and more obvious to people around the country and around the world. We are just too dependent on other places, places that are not reliable suppliers to the United States.

Oil from Iraq, as Senator MURKOWSKI has talked about frequently, is certainly not a reliable supply to the United States. Yet we are dependent on it. There are growing questions about Saudi Arabia, about the reliability of Saudi Arabia and the oil resources from there. Clearly, we should be having an energy policy and an energy strategy to remove ourselves from some of the dependency, particularly in the Persian Gulf region, for our oil and natural gas supplies. We need to do this energy policy, and do it now.

HUMAN CLONING

Mr. BROWNBACK. Mr. President, I wish to particularly address the issue of human cloning and the part of the bill that puts forth a 6-month moratorium on human cloning. I brought up before this body several times this week a U.S. News & World Report cover story of this week about the first human clone. Advanced Cell Technology out of Massachusetts is now saying they have cloned the first human being.

We have to address this issue now or we are going to have to expect more stories such as this about the further development of human cloning before this body has spoken. The House has spoken and said they don't want to have human clones. They put forth a complete ban, and passed it by a large bipartisan majority, a 100-vote margin. The President said: Let's ban human cloning. We don't want to create humans for destructive purposes or for reproductive purposes in this fashion. He has asked for banning that. This body has failed to act.

That is why we are putting forward at this time this request for a 6-month moratorium: Time out; hold up, so we don't have moratoriums such as this while this body takes time to deliberate, hold the committee hearings, and do the things it needs to do to consider this issue. We are asking for a timeout moratorium for 6 months.

I want to make several points and cite various groups that are supporting the moratorium or even the entire banning of human cloning. I want to read some important articles which they have put forward. I will make several points over the following days, weeks, and months.

One point is that research cloning being sponsored by Advanced Cell Technology requires eggs to be harvested from a woman. Harvesting eggs is an invasive and dangerous procedure. Harvesting eggs from women means the use of super-ovulatory drugs, the